

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUSAN PAYNE,

Plaintiff,

-v-

MCGETTIGAN'S MANAGEMENT SERVICES LLC,
DENNIS MCGETTIGAN, individually and in
his official capacity, PADDY HARRISON,
individually, and BRIAN CAMERA,
individually,

Defendants.
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: 19cv1517 (DLC)
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ORDER

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED 11/12/2019

DENISE COTE, District Judge:

On October 25, 2019, plaintiff requested permission by letter to serve defendant Dennis McGettigan ("McGettigan") through substituted service on counsel for defendant McGettigan's Management Services LLC ("MMS"). The application is denied.

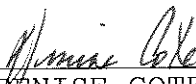
This action was initiated on February 18, 2019. McGettigan was not named as a defendant in the action when it was filed. On September 6, plaintiff amended her complaint to join McGettigan as a defendant. Following the initial pretrial conference held on September 12, a scheduling order of September 13 required plaintiff to initiate service of process on McGettigan no later than September 27. Plaintiff has presented no information suggesting that she complied with that Order.

Nor did she timely seek an extension of the September 27 deadline. As of her October 25 request, plaintiff still had not commenced service. Plaintiff's October 25 letter offers no legal authority to suggest that substitute service through counsel for MMS is appropriate in the circumstances here. Accordingly, plaintiff is hereby

ORDERED to show cause by Friday, November 15, why her claims against McGettigan should not be dismissed without prejudice.

SO ORDERED:

Dated: New York, New York
November 12, 2019



DENISE COTE
United States District Judge